

RECEIVED  
CENTRAL FAX CENTER

NO. 8857 P. 4

MAY 10 2004

OFFICIAL

Application/Control No. 10/044,788  
Response dated May 6, 2004  
Reply to Office Action of November 6, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being faxed to 703/872-9326 and addressed to Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 6, 2004.

Linda M. Christman  
Linda M. Christman

5/6/04  
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/044,788  
Filed: January 11, 2002  
Group Art Unit: 1733  
Examiner: Laura C. Cole  
Applicant: Donald Espie Hay  
Title: **CLEANING IMPLEMENT**  
Atty Docket No.: LWC-189

**MAIL STOP FEE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE

The following remarks and amendments are submitted in response to the non-Final Office Action dated November 6, 2003.

Amendments to the Claims begins on page 2 of this Amendment.

Remarks begin on page 4 of this Amendment.

MAY. 6. 2004 2:56PM

513 241 6234

**OFFICIAL**  
**RECEIVED**  
**CENTRAL FAX CENTER**

NO. 8857 P. 2

Att'y Docket No. LWC-189-273

MAY 10 2004

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/044,788  
 Filed: January 11, 2002  
 Group Art Unit: 1733  
 Examiner: Laura C. Cole  
 Applicant: Donald Espie Hay  
 Title: **CLEANING IMPLEMENT**  
 Att'y Docket No.: LWC-189

**MAIL STOP FEE AMENDMENT**

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is the response to the Final Office Action dated November 6, 2003.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	13	minus	27	0	\$18	\$0.00
Independent Claims	1	minus	6	0	\$84	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$280	\$0.00
<b>TOTAL FEE FOR CLAIMS:</b>						<b>\$0.00</b>

4. ☒ No additional fee for claims is required.  
☐ Attached is a check in the sum of \$0.00 for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input checked="" type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$1,480.00	\$ 740.00
<input type="checkbox"/>	five months	\$2,010.00	\$ 1,005.00

Extension fee due with this request:

**\$ 950.00**

Method of Payment:

**Charge Deposit Account No. 23-3000 in  
the amount of \$ 950.00**

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

**OR**

- ☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

*Wesley L. Strickland*  
Wesley L. Strickland  
Reg. No. 44,363

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202-2917  
(513) 241-2324

K:\LWC\189\Response trans 050604.wpd

**WOOD, HERRON & EVANS, L.L.P.**

JOHN D. POFFENBERGER  
 BRUCE TITTEL  
 DONALD F. FREI  
 DAVID J. JOSEPHIC  
 DAVID S. STALLARD  
 J. ROBERT CHAMBERS  
 GREGORY J. LUNN  
 KURT L. GROSSMAN  
 CLEMENT H. LUKEN, JR.  
 THOMAS J. BURGER  
 GREGORY F. AHRENS  
 WAYNE L. JACOBS  
 KURT A. SUMME  
 KEVIN G. ROONEY  
 KEITH R. HAUPF  
 THEODORE R. REMAKLUS  
 THOMAS W. HUMPHREY  
 SCOTT A. STINEBRUNER  
 DAVID H. BRINKMAN

OF COUNSEL  
 THOMAS W. FLYNN

2700 CAREW TOWER  
 441 VINE STREET  
 CINCINNATI, OHIO 45202-2917  
 TELEPHONE: 513-241-2324  
 FACSIMILE: 513-241-6234  
 EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1923-1986  
 TRUMAN A. HERRON 1935-1978  
 EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
 C. RICHARD EBY

DAVID E. PRITCHARD  
 J. DWIGHT POFFENBERGER, JR.  
 BEVERLY A. LYMAN, PH.D.  
 KATHRYN E. SMITH  
 KRISTI L. DAVIDSON  
 P. ANDREW BLATT, PH.D.  
 DAVID E. JEFFERIES  
 WILLIAM R. ALLEN, PH.D.  
 JOHN PAUL DAVIS  
 DOUGLAS A. SCHOLER  
 BRETT A. SCHATZ  
 DAVID W. DORTON  
 RONALD J. RICHTER, M.D.  
 G. PRADHAKAR REDDY  
 SARAH OTTE GRABER

TECHNICAL ADVISORS  
 HENRY M. LABODA, PH.D.  
 LARRY D. MOORE, B.S.E.E.

**RECEIVED**  
**CENTRAL FAX CENTER**

MAY 10 2004

May 6, 2004

**OFFICIAL**

**FACSIMILE COVER SHEET**

To: USPTO

From: Wesley L. Strickland

Fax: 703/872-9326

Re: WHE File: LWC-189-273

Pages: 13 (including cover sheet)

**MESSAGE/COMMENTS**

Serial No.: 10/044,788  
 Filed: January 11, 2002  
 Group Art Unit: 1733  
 Examiner: Laura C. Cole  
 Applicant: Donald Espie Hay  
 Title: CLEANING IMPLEMENT

Included herewith: Amendment and Response to Office Action; Amendment Transmittal (containing permission to charge Deposit Account No. 23-3000 for amounts due); and WHE Fax cover sheet.

☒ Confirmation copy will NOT follow.

Confirmation copy WILL follow by:

- ☐ First Class Mail  
☐ Federal Express  
☐ Courier

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION Intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.